

FORM PTO-1390  
(REV 5-93)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.  
108179-00056

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

DATE: May 12, 2006 **10/578905**

U.S. APPLN. NO. (IF KNOWN, SEE  
37 C.F.R. 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/JP2004/016881

INTERNATIONAL FILING DATE  
November 12, 2004

PRIORITY DATE CLAIMED  
November 14, 2003

TITLE OF INVENTION: CAPACITY CONTROL VALVE

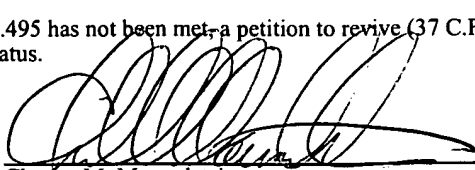
APPLICANT(S) FOR DO/EO/US: Norio UEMURA (Tokyo, Japan), Toshiaki IWA (Tokyo, Japan), Katsuya SHIRAI (Tokyo, Japan), Keigo SHIRAFUJI (Tokyo, Japan)

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The U.S. has been elected (Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a. ☒ is attached hereto (required only if not transmitted by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application into English [35 U.S.C. 371(c)(2)].
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
  - a. ☐ are attached hereto (required only if not transmitted by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 to 20 below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; and PTO-SB08a w/4 refs.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Drawings - Fig 1-6 (6 sheets), Japanese Language PCT request, Copy of International Publication Document WO 2005/047698, Japanese Language International Search Report with English translation, Copy of Form PCT/IB/304, and Copy of Form PCT/IB/308

U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) <b>10/578905</b>		INTERNATIONAL APPLICATION NO. PCT/JP2004/016881		ATTORNEY DOCKET NO. 108179-00056	
The following fees are submitted:				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic National Fee		\$300.00		\$ 300.00	
22. <input checked="" type="checkbox"/> Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)		\$100.00		\$ 200.00	
All other situations		\$200.00			
23. <input checked="" type="checkbox"/> Search Fee Search Fee (37 CFR 1.445(a)(2)) has been paid on the International Application to the USPTO as an International Searching Authority		\$100.00		\$ 400.00	
International Search Report prepared and provided to the Office		\$400.00			
All other situations		\$500.00			
TOTAL OF CALCULATIONS FOR 21, 22 and 23 =				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	7 - 20 =	0	x \$ 50.00	\$	0
Independent Claims	1 - 3 =	0	x \$200.00	\$	0
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$	360.00
TOTAL OF ABOVE CALCULATIONS =				\$	
Reduction by one-half for filing by small entity, if applicable. Small entity status under 37 C.F.R. §§1.9 and 1.27 is hereby claimed.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)].				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				\$	40.00
TOTAL FEES ENCLOSED =				\$	1300.00
				Amount to be refunded	\$
				Charged	\$
a. <input checked="" type="checkbox"/> Check # _____ in the amount of \$ 1300.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 01-2300 in the amount of \$ _____ to cover the above fee. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2300.					
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Customer No. 004372 Arent Fox PLLC 1050 Connecticut Avenue, N.W. Suite 400 Washington, D.C. 20036-5339 Tel: (202) 857-6000 Fax: (202) 638-4810			 Charles M. Marmelstein Reg. No. 25,895		
CMM/cp					